

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Public Servants – Panchayat Raj & Rural Development Department – Allegations of non-recovery of statutory recoveries such as VAT, IT, CMRF, NAC from the work bills - Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in Medak District - Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (CC&A), Rules, 1991 – Article of charges –Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

**G.O.Rt.No. 1474.**

**Dated: 16.10.2009.**

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**ORDER:**

It is proposed to hold an enquiry against Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in Medak District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and a list of witnesses by whom the articles of charges are proposed to be sustained are also appended (Annexure-II and Annexure-III.).

3. Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in Medak District, is directed to submit within (10) days of the receipt of this order, a Written statement of defence. He is informed that an inquiry will be held only if the article of charge is not admitted. He should, therefore, specifically admit or deny the article of charge.

4. Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in Medak District, is further informed that if he does not submit his written statement of defence within the stipulated period specified in para (3) above, further action will be processed based on the material available.

5. Attention of Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in Medak District, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct ) Rules 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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6. The receipt of this Memorandum shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHITRA RAMCHANDRAN  
SECRETARY TO GOVERNMENT

To

Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in  
Medak District through the Engineer-in-Chief, RWS&S, Hyderabad.

The Engineer-in-Chief, RWS&S, Hyderabad.

(with a request to serve and return the acknowledged copy and W.S.D.)

Copy to:

The G.A.(V&E) Dept.

SF/SCs

//FORWARDED: BY ORDER//

SECTION OFFICER

## **ANNEXURE-I**

(Annexure to G.O.Rt.No. 1474 , PR & RD (Vig.I) Dept., dt.16.10.2009)

(Statement of Article of charges against Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in Medak District)

### **CHARGE-I:**

That Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in Medak District, has committed certain irregularities by misinterpreted the orders/circulars on the statutory recoveries and caused a short recovery of Rs.1,79,440/- from the bills of firms for his personal gain by mis-utilizing his official position.

BASIS: The V& E Dept. in their report No.94 (742/V&E/E2/2007), dt. 30.06.2008 reported that a statement is prepared duly verifying the M.Books (to the extent available) showing the details of the bills from which the statutory recoveries were not deducted. As per their observations 64 bills worth Rs.42,82,313/- were paid, from which the statutory deductions actually deducted and deductions to be made as per rules and short fall summarized to Rs.1,79,440/- towards VAT, IT, CMR, & NAC.

Hence the charge.

### **CHARGE-II:**

That Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in Medak District, has committed certain irregularities by taking a lenient view on non supply of materials with in stipulated period in case of M/s. Majeera Pipes Pvt. Ltd., and avoided laying of penalty as per agreement and caused financial loss to the State exchequer worth of Rs.1,24,151/- for his personal gain by mis-utilising his official position.

BASIS: The V& E Dept. in their report No.94 (742/V&E/E2/2007), dt. 30.06.2008 reported and come to an conclusion in their findings that though the firm delayed supplies in case of 60 out of 81 indents, no penalties were imposed as per clause 7.2 of rate contract agreement and there is no evidence to indicate that the delays were either condoned or with the prior permission of SE/EE. The delays were even up to 211 days for a stipulated period of 30 days. Thus, the very lenient view was taken on delays and arrived to a calculation that an amount of Rs.1,24, 151/- shall be collected from the firm for delayed supplies.

Hence the charge.

### **CHARGE-III:**

That Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in Medak District, has committed certain serious lapse by getting failed himself in recovering the retention money at 5% from the bills of M/s. Manjeera Pipes Pvt. Ltd., which has to be done invariably and thereby violated the agreement clause 5.1 for his personal gain by mis-utilising his official position and favoured the firm.

BASIS: The V& E Dept. in their report No.94 (742/V&E/E2/2007), dt. 30.06.2008 observed from the M.Books that whenever payments were released to M/s. Manjeera Pipes Ltd., it is noticed that no retention money @ 5% was recovered. From the total payment of bills for 83 Nos. worth of Rs.64,66,786/-, an amount of Rs. 3,23,333/- ought to have been recovered

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and shall be returned at the end of defective liability period or released against submission of BG valid up to end of defect liability period. Thus, a very lenient view was taken and favoured the firm for his personal gain which is a serious lapse and should not have been expected in respect of the Government works.

Hence the charge.

**CHARGE-IV:**

That Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in Medak District, has committed certain serious lapse by passing the vehicle bills without technical sanction and released cheque directly on Deputy Executive Engineer's name instead of firm who supplied tyres. Thus, he had committed procedural lapse.

BASIS: The V& E Dept. in their report No.94 (742/V&E/E2/2007), dt. 30.06.2008 has pointed out that vehicle maintenance bills were passed without technical sanction and also pointed out that the payment was released to Deputy Executive Engineer concerned instead in the name of firm.

Hence the Charge.

CHITRA RAMCHANDRAN  
SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

**ANNEXURE-II**

(Annexure to G.O.Rt.No. 1474 PR & RD (Vig.I) Dept., dt.16.10.2009)

List of documents by which the article of charges is proposed to be sustained against Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in Medak District

Vigilance Report No.94 (742/V&E/E2/2007), dt. 30.06.2008

CHITRA RAMCHANDRAN  
SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

**ANNEXURE-III**

(Annexure to G.O.Rt.No. 1474 PR & RD (Vig.I) Dept., dt. 16.10.2009)

List of Witnesses by whom the article of charges is proposed to be sustained against Sri U.S.N. Murthy, Executive Engineer, RWS&S Division, Sadasivapet in Medak District

-Nil-

CHITRA RAMCHANDRAN  
SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER